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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN W. PAYNE,

Defendants.

2:16-CR-00046-GMN-PAL

**GOVERNMENT'S RESPONSE TO
DEFENDANT RYAN PAYNE'S
MOTION TO COMPEL
ELECTRONIC ACCESS TO LEGAL
MATERIALS
(ECF Nos. 442)**

CERTIFICATION: This Response is timely filed.

The United States, by and through the undersigned, respectfully submits its Response to Defendant Ryan W. Payne's ("Payne's") Motion to Compel Electronic Access to Legal Materials and the Ability to Communicate Telephonically with Defense Counsel in a Confidential Manner (C.R. 442) (hereinafter "Motion"). Payne's Motion was joined by the following co-defendants: Peter T. Santilli (C.R. 453), Ammon E. Bundy (C.R. 457), Joseph D.

1 O'Shaughnessy (C.R. 463), Blaine Cooper (C.R. 473), Cliven D. Bundy (C.R. 490),
2 Jason D. Woods (C.R. 499) and Micah L. McGuire (C.R. 500).

3 The Motion addressing issues regarding counsels' access to defendant
4 Payne and the other joined defendants as well as other issues related to the
5 representation of the defendants, the relief being sought not affecting the
6 Superseding Indictment or the government's case, and believing that this matter
7 is best resolved in a pretrial conference with the Court (as opposed to Motion), the
8 government does not, at this time, take a position on the relief requested in the
9 Motion or the basis upon which it is sought. The government does, however, wish
10 to inform the Court that this matter has been raised in Oregon in the case filed
11 against the common defendants in *United States v. Bundy*, Case No.: 3:16-cr-
12 00051. *See* Exhibits 1 and 2.

13 In the event the Court seeks further input, assistance, or information, the
14 government stands ready to assist with same, if possible.

15 **DATED** this 10th day of June 2016.

16 Respectfully submitted,

17 DANIEL G. BOGDEN
18 United States Attorney

19 //s//

20 _____
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22 NICHOLAS D. DICKINSON
23 Assistant United States Attorneys
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CERTIFICATE OF SERVICE

I certify that I am an employee of the United States Attorney's Office. A copy of the foregoing **GOVERNMENT'S RESPONSE TO DEFENDANT RYAN PAYNE'S MOTION TO COMPEL ELECTRONIC ACCESS TO LEGAL MATERIALS (ECF Nos. 442)** was served upon counsel of record, via Electronic Case Filing (ECF).

DATED this 10th day of June, 2016.

/s/ Steven W. Myhre

STEVEN W. MYHRE
Assistant United State Attorney